

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 5, 1998, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner

Commissioner Rowe was absent but left votes with the Commissioner Secretary. Commissioner Oberg was absent and did not leave votes.

APPEARANCE

Dan Elliott, Administrator
Utility Division

(479) In the matter of U S West Communications- Docket N98.9.205; On September 11, 1998, U S West Communications filed Tariff Transmittal 98-41, to introduce a business promotion entitled "Get Your Business on the Internet Promotion". This promotion offers (1) \$25.00 off the nonrecurring charge when subscribing to an additional flat business line or an additional Rate Stabilized Centrex 21 analog line; (2) waiver of the nonrecurring charge and waiver of 1 month recurring rate when subscribing to the Uniform Resource Locator (URL) Address Listing or E-Mail Address Listing; and (3) \$10.00 credit when subscribing to Volume Calling Connection or Business Daytime Connection Plus. The promotional period is Sept. 28, 1998 through Nov. 6, 1998. This was a notice item on 9/28/98. Commissioner McCaffree moved to approve the tariff filing. Commissioner Anderson seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye.

(480) In the matter of U S West Communications- Docket N98.9.206 ; On September 11, 1998, USWC filed Tariff Transmittal 98-40 to introduce Business Continuous Routing as an alternative disaster recovery option. Commissioner McCaffree moved to approve the tariff filing. Commissioner Anderson seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye.

(481) In the matter of United States Telecom and USWC - Docket D98.7.153; Commissioner McCaffree moved to approve the resale agreement of United States Telecom and USWC, Inc.. Commissioner Anderson seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(482) In the matter of T-98.29.ST; On August 12, 1998 Griffin Phoenix, Inc., Lewistown, Montana filed an application for transfer of a portion of PSC No. 3819 Sub D to John E. Isaacs dba Isaacs Sani-Serv, Circle, Montana.

Class D - Refuse, meaning all putrescible and nonputrescible solid wastes,

garbage, rubbish, street cleanings, dead animals, yard clippings, solid market wastes, solid industrial wastes, liquid wastes, and any other abandoned waste, between all points and places in the following counties: McCone, Dawson (except within the community of Glendive and a radius of five miles thereof) and Richland (except within the community of Sidney). Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. Limitations: Transportation of garbage, refuse, rubbish and waste from litter cans located upon the public highways is prohibited in the following counties: Richland, McCone and Dawson.

No protests have been received.

(483) Commissioner Anderson moved to approve the transfer of a portion of PSC No. 3819. Commissioner McCaffree seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye.

(484) In the matter of T-98.30.ST; On August 12, 1998 Griffin Phoenix, Inc., Lewistown, Montana filed an application for transfer of a portion of PSC No. 3819 Sub C to T & R Trucking, Inc., Glasgow, Montana.

Class D - Refuse, meaning all putrescible and nonputrescible solid wastes, garbage, rubbish, street cleanings, dead animals, yard clippings, solid market wastes, solid industrial wastes, liquid wastes, and any other abandoned waste, between all points and places in the following counties: Valley, and Phillips. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

No protests have been received.

(485) Commissioner Anderson moved to approve the transfer of portion C. Commissioner McCaffree seconded the motion, which passed with a vote of 3-0. Commissioners Rowe did not leave a vote on this issue.

(486) In the matter of TN1950; Fred M. Zweifel dba Circle Z Enterprises, Virginia City, Montana requests permission to suspend PSC No. 9370 for a six month period, September 15, 1998 to March 15, 1999.

Class B - Passengers within the City of Virginia City and a two mile radius thereof.

Commissioner McCaffree moved to approve the request to suspend for six months. Commissioner Anderson seconded the motion, which passed with a vote of 3-0. Commissioner Rowe did not leave a vote on this issue.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 6, 1998 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

APPEARANCE
Martin Jacobson

(487) In the matter of the Commission's discussion of Gas Company USBP filings - Shelby Gas, Cut Bank Gas, MDU - Docket D98.7.164; D98.7.179 and D98.7.177; Commissioner Oberg moved to give MDU 10 days to respond to MPC's comments on MDU's USBP's filing. Commissioner McCaffree seconded the motion, which passed unanimously.

Commissioner Oberg moved to approve USBP filings of Shelby Gas and Cut Bank Gas. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE
Will Rosquist

(488) In the matter of the Commission's discussion of the Electric Supplier License - N98.9.209 & N98.9.214; Commissioner Rowe moved to approve these electric supplier licenses. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson

(489) In the matter of the Commission's discussion of Great Falls Gas Company's Gas Tracker - Docket D98.9.213; Commissioner Anderson moved to grant a protective order on the filing. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE
Wendy Fuller

(490) In the matter of the Commission's discussion of ISDN- Docket D96.7.121; Commissioner Oberg moved to direct staff to draft an order approving ISDN but limiting it

to three to five year contract only. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Denise Peterson, Dan Elliott, Will Rosquist, Joel Tierney

(491) In the matter of the Commission's discussion of matters related to the sale of PacifiCorp's Montana properties and pending litigation; Commissioner Rowe moved to ratify in principle a settlement agreement in Cause No. DV-98-437B, Flathead County District Court. Commissioner McCaffree seconded the motion.

Commissioner Oberg moved a substitute motion to direct staff to continue negotiations on the settlement terms to strike the phrase "50/50" from article B, 1, line 1 of the proposal. Commissioner McCaffree seconded the motion, which passed unanimously.

Commissioner Rowe moved to initiate a docket, develop a procedural schedule and issue a protective order in the matter of PacifiCorp's sale of its distribution system to Flathead Electric Cooperative. Commissioner Anderson seconded the motion, which passed unanimously.

Commissioner Rowe moved to direct staff to revise procedural schedule in D97.7.91 to expedite action and Commission resolution. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, October 7, 1998 the following members were present:

Dave Fisher, Chairman

Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was absent and did not leave a vote.

APPEARANCE

Robin McHugh, Denise Peterson, Eric Eck, Will Rosquist, Joel Tierney

(492) In the matter of the Commission's discussion of a proposed settlement in pending litigation concerning the sale of PacifiCorp's Montana properties to Flathead Electric Cooperative, Inc.; Commissioner Rowe moved to ratify the settlement agreement entered into by attorneys for the PSC, MCC, PacifiCorp and Flathead Electric Coop to continue the temporary restraining order, stay the preliminary injunction proceeding, establish a review docket for the sale of the distribution, and provide for PSC revise of the sale. Commissioner Oberg seconded the motion, which passed with a vote of 4-0.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 13, 1998, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator
Utility Division

(493) In the matter of US West Communications- Docket N98.9.207; On September 11, 1998, US

West filed to revise its rate stability plans for Digital Switched Service and ISDN Primary Rate Service in order to offer optional 3- and 5-year contract arrangements in addition to the existing 3- to 10-year plans. A staff memo has been distributed. Commissioner Rowe moved to approve the revised rate stability plan. Commissioner McCaffree seconded the motion, which passed unanimously.

(494) In the matter of US West Communications- Docket N98.9.215; On September 25, 1998, US West filed tariff pages to introduce the new SMARTSET feature package for business customers. The package offers two options which are SMARTSET and SMARTSET PLUS. In conjunction with the introduction of the new package, all existing business Custom Calling packages except Call Manager Connection are being grandfathered and those packages with no active customers are being removed from the tariff. Commissioner McCaffree moved to approve the tariff filing. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(495) In the matter of TN1951; Helena Unlimited, Inc. dba Last Chance Tours, Helena, Montana requests permission to suspend PSC No. 2516 for six months, October 15, 1998 to April 15, 1999.

Class A - Persons in the City of Helena, Montana. Limitations: This certificate may not be sold, leased, transferred or assigned.

Class B - Passengers in charter service by means of open-air tour vehicles pulled by replica vintage locomotive-style vehicles or in open-air trolly-style vehicles, within the City of Helena, Montana, and a fifteen (15) mile radius thereof.

Commissioner Anderson moved to approve the six month suspension. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 13, 1998 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was present during part of the meeting and upon leaving left proxy with Commissioner Oberg.

APPEARANCE
Martin Jacobson

(496) In the matter of the Commission's discussion of BTU Monitoring Contracts; Commissioner McCaffree moved to direct Chair to sign contracts for 1998-99 heating season for BTU monitoring with Kem-Data Labs. Commissioner Oberg seconded the motion, which passed unanimously.

APPEARANCE
Karen Hammel, Kate Whitney, Bonnie Lorang

(497) In the matter of the Commission's discussion of US West Custom Choice and marketing/promotions offers; Commissioner Oberg moved that pending consideration of Custom Choice tariffs USWC is directed to cease marketing and signing up new customers. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE
Denise Peterson, Will Rosquist

(498) In the matter of the Commission's discussion of the Commission's investigative docket to examine PacifiCorp's sale of its Montana properties and related litigation; Commissioner McCaffree moved to issue a protective order. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE
Karen Hammel, Mike Lee

(499) In the matter of the Commission's discussion of Western Wireless' petition for eligible telecommunication company under the provisions of the Telecommunications Act of 1996 - Docket D98.8.190; Commissioner Rowe moved to allow Western Wireless until November 4, 1998 to file reply comments and grant late intervention to MCC. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson

(500) In the matter of the Commission's discussion of Low Cost States Initiative - Docket L-98.5.1-RUL; Commissioner Anderson moved to add Montana Public Service Commission's name to the low cost states initiative. Commissioner Rowe seconded the motion, which passed with a vote of 3-2. Commissioners McCaffree, Anderson and Rowe voted aye. Commissioners Oberg and Fisher dissented.

APPEARANCE

Karen Hammel, Mike Lee

(501) In the matter of the Commission's discussion of Southern Montana Telephone Co.'s application for revised access charges - Docket D97.11.225; Commissioner Oberg moved to vacate hearing, suspend procedural schedule and notice proposed stipulation. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Oberg cast Commissioner McCaffree's proxy aye.

(502) In the matter of the Commission's discussion of US West's 271 filing matters - Docket D97.5.87; Commissioner Rowe moved to sustain USWC's objections to joint intervenors data requests 240 and 241, and grant in part consistent with special master decision a review of 244. Commissioner Anderson seconded the motion, which passed with a vote of 4-0-1. Commissioners Fisher, Rowe and Anderson voted aye. Commissioner Oberg cast Commissioner McCaffree's proxy aye. Commissioner Oberg abstained.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 13, 1998 the following members were present:

Dave Fisher, Chairman
Danny Oberg, Commissioner

Bob Rowe Commissioner

Commissioner McCaffree was absent and left proxy to Commissioner Oberg.
Commissioner Anderson
was absent and left proxy to Commissioner Fisher.

APPEARANCE

Wayne Budt, Robin McHugh

(503) In the matter of the Commission's discussion of its budget and requested upgrades for field men; Commissioner Rowe moved to authorize the upgrade of two field men to Grade 13 subject to approval of Dept. of Administration. Commissioner Fisher seconded the motion, which passed with a vote of 3 to 1. Commissioners Fisher and Rowe voted aye. Commissioner Fisher cast Commissioner Anderson's proxy aye. Commissioner Oberg dissented. Commissioner Oberg did not cast Commissioner McCaffree's proxy.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, October 14, 1998 the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was absent and did not leave a vote on this issue.

APPEARANCE

Robin McHugh, Karen Hammel, Kate Whitney, Bonnie Lorang

(504) In the matter of the Commission's discussion of US West's Custom choice tariff filings - Docket N98.10.239; Commissioner Oberg moved to reconsider the Commission's previous action,

grant interim approval of Tariff N9810.239, set for expedited hearing and order prehearing briefs on legal issues of promotion, and issue a notice outlining issues for consideration. Commissioner Anderson seconded the motion, which passed with a vote of 3-1. Commissioners Fisher, Anderson and Oberg voted aye. Commissioner Rowe dissented.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 19, 1998, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner

Commissioner Oberg was absent and did not leave his votes. Commissioner Rowe was absent but left written votes with the Commission Secretary.

APPEARANCE
Dan Elliott, Administrator
Utility Division

Items 505 through 511 were acted on with one motion:

Commissioner Anderson moved to approve the order. Commissioner McCaffree seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye.

(505) In the matter of US West/Montana Communications - Docket D96.11.198; On September 22, 1998, US WEST and Montana Communications filed their First Amendment to their resale agreement, which was approved on February 10, 1997. This Amendment revises Appendix A, which details resale rates and services available for resale. A draft order has been distributed.

(506) In the matter of US West/North American Telcom, Inc. - Docket D98.3.61; On August 12, 1998, U S WEST Communications, Inc. filed the First Amendment to its resale agreement with North

American Telcom, Inc. The First Amendment revises sections of the initial agreement that have been rejected by the Commission. The revised sections address the Commission's concerns. A draft order has been distributed.

(507) In the matter of US West/CommSouth Co., Inc. . - Docket D98.5.103; On August 26, 1998, U S WEST Communications, Inc. filed the First Amendment to its resale agreement with Comm South Companies, Inc. The First Amendment revises sections in the initial agreement that have been rejected by the Commission in other dockets. The revised sections address the Commission's concerns. A draft order has been distributed.

(508) In the matter of US West/Sterling International Funding. - Docket D97.12.246; On July 22, 1998, U S WEST Communications, Inc. filed the Second Amendment to its resale agreement with Sterling International Funding, Inc. The Second Amendment revises sections of the initial agreement that have been rejected by the Commission. The revised sections address the Commission's concerns. A draft order has been distributed.

(509) In the matter of US West/Stargate Communications, Inc. - Docket D97.10.209; On July 22, 1998, U S WEST Communications, Inc. filed the First Amendment to its resale agreement with Stargate Communications, Inc. The First Amendment revises sections of the initial agreement that have been rejected by the Commission. The revised sections address the Commission's concerns. A draft order has been distributed.

(510) In the matter of US West/BG Enterprises, Inc. - Docket D97.12.245; On September 18, 1998, U S WEST Communications, Inc. filed the Second Amendment to its resale agreement with BG Enterprises, Inc. The Second Amendment revises sections of the initial agreement that have been rejected by the Commission. The revised sections address the Commission's concerns. A draft order has been distributed.

(511) In the matter of US West/United Properties, Inc. - Docket D97.12.247; On September 11, 1998, U S WEST Communications, Inc. filed the Second Amendment to its resale agreement with United Properties, Inc. The Second Amendment revises sections of the initial agreement that have been rejected by the Commission. The revised sections address the Commission's concerns. A draft order has been distributed.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(512) In the matter of T-98.34.PCN TA; On October 14, 1998 Terry McIntosh dba Hi-Line Transportation, Havre, Montana filed an application for a Temporary Montana Intrastate Certificate of Public Convenience and Necessity authorizing the following:

Class A - Passengers between Havre, Montana and Great Falls, Montana regularly serving the intermediate points of Big Sandy and Fort Benton and with on-call service to Box Elder, Loma and Carter, Montana.

Commissioner Anderson moved to approve the application. Commissioner McCaffree seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye.

(513) In the matter of TN1952; James H. Michael and John P. Michael dba Airport Shuttle Service, Kalispell, Montana request permission to continue the lease of PSC No. 3664 to Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana for the period October 7, 1998 to October 7, 1999.

Class B - Persons and baggage from Kalispell, Montana, and a two mile radius thereof to Glacier International Airport via U.S. Highway No. 2, and State Highway No. 206, serving all intermediate points and return. Limitations: The transportation of persons and baggage between points and places within the City of Kalispell and a two mile radius thereof is prohibited.

Class B - Persons and baggage deplaning from Frontier Airlines and Hughes Airwest flights at Glacier Park International Airport to West Glacier, Montana, and return over Montana Highway No. 206 and 40 and U.S. Highway No. 2, subject to the condition that carrier advise Glacier Park, Inc., of its proposed service schedule and take such steps as may be reasonably necessary to coordinate service with that furnished by Glacier Park, Inc.

Commissioner McCaffree moved to continue the lease. Commissioner Anderson seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye.

(514) In the matter of TN1953; Thomas F. Kenneally. Butte, Montana requests permission to continue the lease of PSC No. 4448 to The McGree Corporation, Butte, Montana for the period October 12, 1998 to October 12, 1999.

Class D - Ashes, trash, waste, refuse, rubbish and garbage within the town of Whitehall, Montana, and to or from points tributary thereto, but within a distance not exceeding eighty (80) miles in any direction from town. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Anderson moved to continue the lease. Commissioner McCaffree seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 19, 1998 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner

Commissioner Oberg was absent and did not leave votes. Commissioner Rowe was absent and did not leave votes.

APPEARANCE
Robin McHugh, Will Rosquist

(515) In the matter of the Commission's discussion of BPA's subscription process; Commissioner McCaffree moved to join the other Pacific Northwest states in signing the letter to BPA Administrator Judi Johansen. Commissioner Anderson seconded the motion, which passed with a vote of 3-0.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 20, 1998 the following members were present:

Dave Fisher, Chairman

Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner

Commissioner Oberg was absent and did not leave votes. Commissioner Rowe was absent but left his written vote as noted.

APPEARANCE
Karen Hammel

(516) In the matter of the Commission's discussion of USWC's ISDN - Docket D96.7.121;
Commissioner Anderson moved to issue the final order. Commissioner McCaffree seconded the motion, which passed with a vote of 3-0.

APPEARANCE
Martin Jacobson

(517) In the matter of the Commission's discussion of Columbia Heights Water Co. - Docket D98.10.246; Commissioner McCaffree moved to issue a notice of complaint and set for expedited hearing. Commissioner Anderson seconded the motion, which passed with a vote of 4-0.
Commissioner Rowe voted aye.

(518) In the matter of the Commission's discussion of Utility Notice Rules - Docket L-98.5.1-RUL;
Commissioner McCaffree moved to issue a notice of hearing on the amendment to ARM 38.5.2202 and 38.5.2302. Commissioner Anderson seconded the motion, which passed with a vote of 3-0.

(519) In the matter of the Commission's discussion of Utility Notice Rules - Docket L-98.5.1-RUL;
Commissioner Anderson moved to issue adopt the rule. Commissioner McCaffree seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye.

(520) In the matter of the Commission's discussion of the MPC Gas Tracker - Docket D98.10.217;
Commissioner McCaffree moved to issue a protective order as recommended by staff. Commissioner Anderson seconded the motion, which passed with a vote of 3-0.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, October 21, 1998 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Bob Rowe, Commissioner

Commissioner Oberg was absent and did not leave votes.

APPEARANCE
Robin McHugh

(521) In the matter of the Commission's discussion the Public Service Commission and Montana Consumer Counsel Taxes Commissioner McCaffree moved to approve the orders adjusting the PSC and MCC taxes. Commissioner Rowe seconded the motion, which passed with a vote of 4-0.

(522) In the matter of the Commission's discussion of Approving Pass Through Fees for MCC and PSC - Docket D98.10.247 and D98.10.248; Commissioner McCaffree moved to approve the orders. Commissioner Rowe seconded the motion, which passed with a vote of 4-0.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, October 22, 1998 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair

Bob Anderson, Commissioner
Bob Rowe, Commissioner

Commissioner Oberg was absent and left proxy with Chairman Fisher.

APPEARANCE

Denise Peterson, Will Rosquist

(523) In the matter of the Commission's discussion of the letter to BPA; Commissioner Anderson moved to send a letter to BPA jointly with the Governor's office and NWPPC. Commissioner Rowe seconded the motion, which passed unanimously. Chairman Fisher cast Commissioner Oberg's proxy aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, October 22, 1998 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Bob Rowe, Commissioner

Commissioner Oberg was absent and did not leave votes.

APPEARANCE

Robin McHugh, Bonnie Lorang

(524) In the matter of the Commission's discussion of the Investigation of USWC's Custom Choice - Docket D98.10.243; Commissioner Anderson moved to vacate the hearing. Commissioner McCaffree seconded the motion, which passed with a vote of 4-0.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCaffree, Vice Chair

BOB ANDERSON, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 26, 1998, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator
Utility Division

(525) In the matter of Black Hills Power & Light - Docket D98.9.216; On September 28, 1998, BHP&L filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on October 1, 1998. Requests for hearing were due by October 26, 1998. No requests have been received. This application will decrease rates by \$1,982 under the base cost of fuel approved in Docket No. 83.4.25. Commissioner McCaffree moved to adopt Default Order No. 6108. Commissioner Rowe seconded the motion, which passed unanimously.

(526) In the matter of U S West Communications - Docket N98.10.240; On October 8, 1998, USWC filed Tariff Transmittal 98-43. This is a clean up filing to correct release numbers. Commissioner Rowe moved to approve the tariff 98-43. Commissioner McCaffree seconded the motion, which passed unanimously.

Items 527, 528, 529 and 530 were acted on with one motion:

(527) A Final Order has been drafted and distributed. Commissioner Oberg moved to approve the final orders in Docket Nos. D98.9.199, D98.7.170, D98.8.184 and D98.1.15. Commissioner McCaffree seconded the motion, which passed unanimously.

(528) In the matter of U S West/TelWest, L.L.C. - Docket D98.9.199; On July 10, 1998, U S WEST Communications, Inc. filed an agreement negotiated with Tel West, L.L.C.

for resale of its services. The agreement is substantially the same as other previous resale agreements, but does not contain the four provisions consistently rejected in other agreements. The agreement contains revised provisions for previously rejected terms and complies with § 252(e)(2)(A) of the Telecommunications Act of 1996.

In the matter of U S West/Opcom, Inc dba WCS Communications- Docket D98.7.170; On July 30, 1998, U S West Communications, Inc. filed an agreement negotiated with Opcom, Inc. dba WCS Communications for resale of its services. The agreement is substantially the same as other previous resale agreements, but does not contain the four provisions consistently rejected in other agreements. The agreement contains revised provisions for previously rejected terms and complies with § 252(e)(2)(A) of the Telecommunications Act of 1996. A Final Order has been drafted and distributed.

(529) In the matter of U S West/Northwest Communications- Docket D98.8.184; On August 12, 1998, U S WEST Communications, Inc. filed an agreement negotiated with Northwest Communications Network, Inc. for resale of its services. The agreement is substantially the same as other previous resale agreements, but does not contain the four provisions consistently rejected in other agreements. The agreement contains revised provisions for previously rejected terms and complies with § 252(e)(2)(A) of the Telecommunications Act of 1996. A Final Order has been drafted and distributed.

(530) In the matter of U S West/Firstel, Inc. - Docket D98.1.15; On October 14, 1998, U S WEST Communications, Inc. the Second and Third Amendments to its negotiated resale agreement with Firstel, Inc. The Second Amendment revises the four provisions consistently rejected in other agreements and rejected in the Order No. 6059 approving the resale agreement. The revised provisions comply with § 252(e)(2)(A) of the Telecommunications Act of 1996 and the Commission's orders. The Third Amendment replaces Appendix A with rate changes reflecting the decisions in D96.11.200 (AT&T arbitration). A Final Order has been drafted and distributed.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(531) In the matter of TN1954; Lake County Council on Aging, Ronan, Montana requests cancellation of PSC No. 9333 due to preemption by the federal government.

Class B - Passengers in charter service between points and places in Lake, Sanders, Flathead, and Missoula Counties.

Limitations: (1) Transportation must originate in and return to Lake County. (2) Transportation is limited to that provided for nonprofit or charitable organizations (whose passengers may be under the age of 60 and who are not disabled). The

organizations must be recognized as nonprofit under Section 501(c) of the Internal Revenue Code.

Commissioner Rowe moved to approve the cancellation. Commissioner McCaffree seconded the motion, which passed unanimously.

(532) In the matter of TN1955; Howard R. and Elizabeth R. Roberts dba Teton Stage Lines, Fairfield, Montana request cancellation of PSC No. 9011 due to preemption by the federal government.

Class B - Passengers in charter service from points in Glacier, Pondera, Teton, and Toole Counties to all points and places in the State of Montana and return.
Limitations: (1) Transportation is restricted to that provided with vehicles having a rated seating capacity of seven (7) or more; and (2) Transportation of passengers in luxury limousines is prohibited.

Commissioner Anderson moved to approve the cancellation. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE
Laura Calkin
Centralized Services

(533) In the matter of the approval of Commission Minutes; Commissioner Rowe moved to approve the Commission Minutes of July 27, August 3, August 10, August 17, August 24 and August 31, 1998.
Commissioner McCaffree seconded the motion, which passed unanimously.

(534) In the matter of the approval of the Commission December 1998 Calendar; Commissioner Rowe moved to approve the Commission Calendar for the month of December 1998.
Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held

at the Commission's
Offices in Helena, Montana, on Tuesday, October 27, 1998 the following members
were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

APPEARANCE
Martin Jacobson

(535) In the matter of the Commission's discussion of Columbia Heights
Water Co. - Docket
D98.10.246; Commissioner Rowe moved to include the former owner in complaint
and authorize staff
to have conference with owners before issuing complaint. Commissioner
McCaffree seconded the
motion, which passed unanimously.

APPEARANCE
Martin Jacobson, Joel Tierney

(536) In the matter of the Commission's discussion of MDU Gas USBP - Docket
D98.8.177;
Commissioner McCaffree moved to approve MDU's USBP tariff application.
Commissioner Oberg
seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson, Will Rosquist

(537) In the matter of the Commission's discussion of Glacier Electric
Supplier License;
Commissioner Oberg moved to grant a limited license pending receipt of
additional information.
Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE
Robin McHugh, Kate Whitney, Tina Shorten

(538) In the matter of the Commission's discussion of AT&T Digital Link
Reconsideration Motion,
Order 6099 - Docket N98.8.181; Commissioner Oberg moved to grant the AT&T
motion for
reconsideration in part and approve waivers needed to approve tariffs.
Commissioner Anderson
seconded the motion, which passed unanimously.

APPEARANCE
Karen Hammel, Kate Whitney, Mike Lee, Jay Driscoll

(539) In the matter of the Commission's discussion of USWC Cellular
Alternative Program Proposal;
Commissioner Oberg moved to send a letter under Chairman Fisher's signature to
USWC finding its
letter on alternative cellular "not in conformance with statutes".
Commissioner Anderson seconded the
motion, which passed unanimously.

APPEARANCE
Karen Hammel, Mike Lee, Jay Driscoll

(540) In the matter of the Commission's discussion of USWC IntraLATA
Dialing Parity Plan -
Docket D98.4.86; Commissioner Oberg moved to approve staff draft of an order

on carrier notification
requiring USWC compliance on ARM 38.5.4120(3). Commissioner McCaffree
seconded the motion,
which passed unanimously.

APPEARANCE
Martin Jacobson

(541) In the matter of the Commission's discussion of the Complaint on
Utility Merchandising &
Appliance Servicing; Commissioner Anderson moved to request a response from
MDU to the
complaint. Commissioner Rowe seconded the motion, which failed on a 2 to 3
vote. Commissioners
Anderson and Rowe voted aye. Commissioners Fisher, McCaffree and Oberg
dissented.
Commissioner Oberg moved to approve policy statement. Commissioner McCaffree
seconded the
motion, which passed unanimously. Commissioner Oberg moved to deny the
complaint with reference
to policy statement. Commissioner McCaffree seconded the motion, which passed
with a vote of 3 to
2. Commissioners Fisher, McCaffree and Oberg voted aye. Commissioner Rowe
and Anderson
dissented.

There being no further business to come before the Commission the meeting was
adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held
at the Commission's
Offices in Helena, Montana, on Thursday, October 29, 1998 the following
members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

APPEARANCE
Robin McHugh, Karen Hammel, Mike Lee

(542) In the matter of the Commission's discussion of Telecommunications Conference Agenda - Docket N98.9.203; Commissioner Anderson moved to issue a notice and agenda for the PSC telecommunications conference. Commissioner Rowe seconded the motion, which passed with a vote of 4-0-1. Commissioner Oberg abstained.

APPEARANCE

Karen Hammel, Martin Jacobson

(543) In the matter of the Commission's discussion of USWC's 271 Filing - Docket D97.5.87; Commissioner Rowe moved to grant AT&T's objection wholly or in part to Data Request 200, 201, 213, 225 and denying AT&T's objections to Data Requests 212 and deferring action on 215 and 216 to allow USWC to supplement its response. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Friday, October 30, 1998, the following members were present:

Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

Chairman Fisher was absent and left proxy with Commissioner Oberg.

APPEARANCE

Karen Hammel, Martin Jacobson, Bonnie Lorang

(544) In the matter of the Commission's discussion of USWC's 271 Filing - Docket D97.5.87; Commissioner Oberg moved to approve the second decision of the special master. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Oberg

cast Commissioner
Fisher's proxy aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Friday, October 30, 1998, the following members were present:

Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

Chairman Fisher was absent and left proxy with Commissioner Oberg.

APPEARANCE

Robin McHugh, Denise Peterson, Dan Elliott, Eric Eck

(545) In the matter of the Commission's discussion of PacifiCorp's Sale of Montana Properties - Docket D98.10.218; Commissioner Rowe moved to instruct staff to draft an order approving the sale to Flathead Electric Cooperative contingent on \$4 million in gain awarded to customers and other contingencies to be included in final order. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Oberg cast Commissioner Fisher's proxy aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Friday, October 30, 1998, the following members were present:

Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

Chairman Fisher was absent and left proxy with Commissioner Oberg. Commissioner Oberg was present through telephone hookup.

APPEARANCE

Robin McHugh, Denise Peterson, Dan Elliott, Eric Eck, Will Rosquist

(546) In the matter of the Commission's discussion of PacifiCorp's Sale of Montana Properties - Docket D98.10.218; Commissioner Rowe moved to direct staff to draft language sharing gain between ratepayer payments and system improvements and providing time and necessary proceedings for implementation (Total \$4 million, \$1.25 million to improvements, balance to ratepayers [residential and small commercial Time - 1 year] of PacifiCorp). Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Oberg cast Commissioner Fisher's proxy aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

